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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14
15 **MICHAEL SCOTT JONES,**

16 Petitioner,

17 v.

18 **ARNOLD SCHWARZENEGGER**

19 Respondent.

C07-4323 JSW

**REQUEST FOR AN EXTENSION OF
TIME TO RESPOND TO PETITION;
SUPPORTING DECLARATION OF
COUNSEL**

Judge: The Honorable Jeffrey S. White

20
21 **REQUEST**

22 Petitioner Michael Scott Jones is a California state inmate proceeding *pro se* in this habeas
23 corpus action. For the reasons set forth in the accompanying declaration of counsel, Respondent
24 respectfully requests an extension of time, up to and including April 7, 2008, to file a responsive
25 pleading in this matter.

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DECLARATION

I, STACEY D. SCHESSER, declare as follows:

1. I am an attorney admitted to practice before the courts of the State of California and before this Court. I am employed by the California Attorney General's Office as a Deputy Attorney General in the Correctional Writs and Appeals Section, and I am assigned to represent respondent in this case.

2. On January 8, 2008, this Court issued an order to show cause requiring Respondent to file a responsive pleading by March 10, 2008.

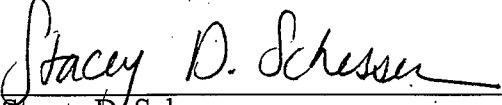
3. At the time the case was assigned to me, my paralegal never entered the deadline on my calendar. I did not realize this error until February 26, 2008, when the documents for the case arrived. However, in addition to the deadline for this case, I have deadlines in four other cases and an upcoming oral argument in the state appellate court. I therefore request additional time to April 7, 2008, to file a response because I will not be able to prepare a proper answer or motion by the filing deadline.

4. Mr. Jones is representing himself, and he is not easily reachable for notification that I am requesting an extension of time because he is currently incarcerated.

5. This request is not made for any purpose of harassment, undue delay, or for any improper reason. Respondent has not previously requested an extension of time.

6. Without an extension of time, Respondent would be substantially harmed or prejudiced because Respondent would not have an opportunity to prepare a thorough responsive pleading or motion.

I declare under penalty of perjury that the above is true and correct, and that this declaration was executed on March 3, 2008, in San Francisco, California..


Stacey D. Schesser
Deputy Attorney General

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Jones v. Schwarzenegger**

No.: **C07-4323 JSW**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On March 3, 2008, I served the attached

**REQUEST FOR AN EXTENSION OF TIME TO RESPOND TO PETITION;
SUPPORTING DECLARATION OF COUNSEL**


[PROPOSED] ORDER

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

**Michael Scott Jones
E-40401
Correctional Training Facility
P.O. Box 686
Soledad, CA 93960-0686
IN PRO PER**

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on March 3, 2008, at San Francisco, California.

L. Santos
Declarant


Signature